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EASTERN DISTRICT OF TEXAS

FIDEL DAVIS,	§	
Plaintiff,	8 8	
versus	8 8	CIVIL ACTION NO. 1:13-CV-494
JUDGE LARRY GIST,	§ §	
Defendant.	§	

MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Fidel Davis, an inmate confined at the Telford Unit in Texarkana, Texas, proceeding *pro se*, brought this lawsuit pursuant to 42 U.S.C. § 1983 against Judge Larry Gist.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this action be dismissed for failure to state a claim upon which relief may be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes Plaintiff's objections are without merit.

ORDER

Accordingly, Plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is

ADOPTED. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 25th day of February, 2016.

Marcia A. Crone

MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE